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SUBJECT: POHAMBAMBA LAUNCHES ANTI-CORRUPTION COMMISSION

¶1. (SBU) Summary: On February 1, President Hifikepunye Pohamba officially launched the Namibian Anti-Corruption Commission (ACC). In his speech marking the event, Pohamba reiterated his distaste for corruption and urged the ACC to pursue all corrupt individuals "regardless of their status in society." He pledged government protection of whistle blowers and the ACC. Given the limited experience of the new ACC directors, it remains to be seen if the new commission will put Pohamba's strong words to the test. In the ACC's favor, corruption in Namibia is well below the continental average. End summary.

The ACC: A Long Time Coming

¶2. (U) Born out of the 2003 Anti-Corruption Act, the commission's gestation period has been particularly long. President Pohamba's new emphasis on anti-corruption combined with a public outcry over multiple corruption scandals created the impetus to establish the commission. Consequently, Parliament confirmed the appointment of the ACC Director and Deputy Director in October 2005, which de facto launched the new oversight body. Thus far, the ACC has focused solely on administrative setup.

Pohamba's Blessing

¶3. (U) The launch ceremony on February 1 (attended by Ambassador and poloff) was above all an opportunity to gauge the tenor and force of President Pohamba's blessing of the commission. He lived up to most expectations. He criticized officials who joined government for the sake of personal enrichment and warned of the dire consequences to Namibia's economy and democracy if the country did not put an end to corruption immediately. He pledged government protection for whistleblowers (such protections are included in the Anti-Corruption Act) and said it was the government's duty to protect the ACC and its staff as they investigate wrongdoers.

¶4. (U) Mincing no words, Pohamba twice repeated that the ACC and other relevant oversight bodies should spare no efforts in pursuing corrupt individuals and officials "regardless of their status in society." The audience's loud applause to this line (the only applause during the speech) came as a surprise to the subdued front row of ministers and deputy ministers. (Note: Pohamba's emphasis on bringing the full force of the law against senior members of society and government is a breath of fresh air in a nation where it is culturally unacceptable to question or criticize elders. End note.)

¶5. (SBU) Former President Sam Nujoma attended the launch ceremony, along with nearly all the government ministers and deputy ministers, plus the chief justice and other "founding fathers." Nujoma's presence was noteworthy. During his 15-year tenure as president, the Founding Father of the Namibian Nation (Nujoma's new official title) had talked about anti-corruption, but by most accounts had failed to do much to halt many in his entourage from feeding at the trough. Many of those same individuals remain in positions of authority, making the ACC's challenge even greater, because an investigation into any senior official could trigger allegations that the ACC is being used to either undermine or bolster various SWAPO factions (i.e. the pro or anti-Nujoma camp). In fact, Nujoma himself was initially implicated in the Avid investment scandal involving a loss of almost 5 million USD in Social Security Commission funds until swift SWAPO pressure quelled any further mention of his possible involvement.

¶6. (SBU) Adding to the challenge is the experience level of the Anti-Corruption Commission leadership. ACC Director Paulus Noa, and his Deputy, Erna van der Merwe, are relative unknowns. Many Namibians have told us that they hoped the government would appoint individuals with both excellent qualifications and indisputable public standing. Some of our interlocutors were concerned that the new directors, even if they have solid backgrounds (Noa was the Chief Regional Magistrate for the northern region and van der Merwe was a chief legal drafter at the Ministry of Justice), their relative inexperience and low-

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profiles may limit their ability to take to task senior government officials who have benefited from corruption. (Comment: These low profiles may actually allow them to be more objective and function outside of political pressures. End comment.)

¶7. (U) Speaking briefly after the ceremony, Noa told Poloff that the ACC would do its utmost and that it hoped the USG would be able to help the ACC get off on the right foot. (Note: USAID is supporting a program that will help train ACC staff and the Embassy will propose assisting the ACC with training through the International Law Enforcement Academy in Gabarone, Botswana. End note.)

Comment

¶8. (SBU) Pohamba's anti-corruption credentials are well recognized and his desire to root out graft appears genuine. As Finance Director during Namibia's independence struggle, his vigorous oversight of the SWAPO purse strings earned Pohamba great respect among SWAPO officials with either honest or devious intentions. His full and categorical endorsement of the Anti-Corruption Commission should carry weight. Whether it is enough to thrust the ACC into serious and unfettered investigations of high-level officials remains to be seen. Fortunately for Namibia - and for the fledgling ACC - Namibian corruption is well below the continental average, which hopefully will increase the new body's chances of success.

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